

ORIGINAL SIGNED ON FILE MATAGORDA COUNTY CLERKS OFFICE

**THE STATE OF TEXAS
COUNTY OF MATAGORDA**

INSTRUMENT - 55100

Whereas, Frank Carpenter, of Hardin County, Texas, M. L. Hale, of Matagorda County, Texas, and J. W. Anselin, of Liberty County, Texas, are the owners in fee simple of the surface of Caney Creek Estates, a subdivision, as shown by the map or plat of said subdivision which is recorded in Vol. 2, pages 62 to 68 of the Map Records of Matagorda County, Texas, the said M. L. Hale being the owner of Lots Nos. 133, 134 and 217 of said subdivision and the said J. W. Anselin being the owner of Lots Nos. 128, 129 and 130 of said subdivision, and the said Frank Carpenter being the owner of the remainder of said subdivision: and

Whereas, said parties are desirous of placing certain restrictive covenants on a portion of said subdivision, said portion being described as follows:

All of said Caney Creek Estates, except Lots Nos. 253, 242, 119, 144, 145, 146, 147, 148, 149, 150, 151, 152, 154, 155, 156, 163, 164, 165, 166, 301, 302, 303, and 304 of said subdivision; all of said Caney Creek Estates except the lots as herein excepted being hereinafter referred to as the "Tract".

NOW THEREFORE, the parties hereto, each of them in consideration of the covenants and agreements of the others herein contained, have covenanted, bargained, and agreed, and each of them, by those presents, does covenant, bargain and agree with the others and with each of the others, and each for himself, his heirs and assigns, does covenant, bargain and

agree with the others, their heirs and assigns, and with each of the others, his heirs and assigns, as follows:

I

No building shall be erected on any lot on said Tract except for residential purposes or for use in conjunction with a residence.

II

Only one single family dwelling house or residence may be erected on any lot in said Tract.

III

No building or structure which is constructed of tar paper, iron or tin, shall, or will, at any time hereafter, be erected or placed on any lot in said Tract and no tent or canvas-covered shelters shall be placed on any lot in said Tract, nor shall any trailer house be used as a dwelling house on any said lot.

IV

This SECTION DELETED BY THE Federal Civil Rights Act of 1964.

V

No sewerage or other waste matter shall be placed or deposited in or permitted to drain into the waters of Caney Creek.

VI

No pier, dock or other structure shall be erected hereafter adjacent to any lot in said Tract which extends for a distance of more than twenty (20) feet from the ordinary high tide line of Caney Creek into said creek.

VII

The above covenants shall be deemed and taken to be covenants running with the land.

It is understood, agreed and stipulated by and between the parties hereto that the above listed lots of said Caney Creek Estates which are excepted from the restrictive covenants as above set forth may be used for commercial or business property.

It is understood and agreed that any contract or conveyance of any of the lots in said Tract shall be made subject to the restrictive covenants herein contained.

Witness our hands this 2nd day of October, A. D. 1952

Frank Carpenter

M. L. Hale

J. W. Anselin

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